

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

LYDIA IDANIS OTERO ENCARNACION

DEBTOR(S)

CASE NO. 20-02873-EAG

CHAPTER 13

TRUSTEE'S REPORT ON CONFIRMATION

1. The applicable commitment period (years) is: 3
2. The liquidation value of the estate is :\$ 4,116 (PV: \$4,774)
3. The general unsecured pool is :\$ 0

AMENDED PLAN DATE: November 16, 2021

PLAN BASE: \$68,400.00

TRUSTEE'S REPORT ON CONFIRMATION DATED: 11/18/2021☐

FAVORABLE

☒

UNFAVORABLE

1. [X] FAILS LIQUIDATION VALUE TEST § 1325(a)(4):

Plan does not comply with the present value of \$5,949 disclosed in part 5.1 of the plan since only distribute \$4,778.04. Trustee hereby notes that the correct present value is \$4,774.

[X] OTHER:

1) Part 2.4 should include the location of debtor's residence located at Veredas del Mar, Vega Baja, considering that she has her real property and an interest in an inheritance property. In addition, amount of the lump sum payment needs to be disclosed at \$43,000. 2) Debtor has to file motion to allow filing of late proof of claim for secured creditors Condominio Veredas del Mar and Federico Robles with supporting documentation regarding amount owed and evidence of perfection of security interest. 3) Proof of claim # 05 filed by debtor's attorney on behalf of Condominio Veredas del Mar includes account statements detailing pre and post -petition arrears, however, the proof of claim disclose the pre-petition amount. If debtor's intention is to pay all debt, pre-petition and post arrears, it is important that the claim is reviewed and this amount is included in the total to be claimed. 4) Proof of claim # 06 filed by debtor's attorney on behalf of creditor Federico Robles Collazo was filed without evidence of security.

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s). Copies are available to parties in interest at the Trustee's Office.

/s/ Pedro R Medina

Pedro R Medina

Atty: JUAN O CALDERON

USDC #226614

ALEJANDRO OLIVERAS RIVERA

Chapter 13 Trustee

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CMC - WG